

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

EMERGIS TECHNOLOGIES,  
INC., f/k/a BCE EMERGIS  
TECHNOLOGIES, INC.,

Plaintiff,

v.

AVISTA CORPORATION,

Defendant.

NO. CV-06-023-RHW

**ORDER DISMISSING  
COMPLAINT**

Before the Court is Plaintiff's FRCP 41(a)(1)(i) Notice of Dismissal (Ct. Rec. 10). Plaintiff requests voluntary dismissal of the above-captioned matter pursuant to Rule 41(a)(1) of the Federal Rules of Criminal Procedure. Plaintiff states that no answer, counterclaim, or motion for summary judgment has been filed by Defendant.

Accordingly, **IT IS HEREBY ORDERED**

1. Plaintiff's FRCP 41(a)(1)(i) Notice of Dismissal (Ct. Rec. 10) is **GRANTED**.

2. The above-captioned case is **DISMISSED** without prejudice.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, forward copies to counsel, and **close the file**.

**DATED** this 20th day of June, 2006.

s/Robert H. Whaley  
**ROBERT H. WHALEY**  
Chief United States District Judge

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